
PRELIMINARY DRAFT
No. 3277

PREPARED BY
LEGISLATIVE SERVICES AGENCY
2008 GENERAL ASSEMBLY

DIGEST

Citations Affected: IC 16-21-2-16; IC 16-25-3-11; IC 16-27-1-17;
IC 16-28-2-10; IC 25-1-9-19; IC 27-8-22.1; IC 27-13-41-3.

Synopsis: Health claim statement requirements. Specifies certain requirements to be met by a health care provider, an accident and sickness insurer, and a health maintenance organization in any statement related to a claim for health care services.

Effective: July 1, 2008.



A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 16-21-2-16, AS AMENDED BY P.L.96-2005, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 16. **(a)** A hospital, an ambulatory outpatient surgical center, an abortion clinic, or a birthing center that provides to a patient notice concerning a third party billing for a service provided to the patient shall ensure that the notice:

- (1) conspicuously states that the notice is not a bill;
- (2) does not include a tear-off portion; and
- (3) is not accompanied by a return mailing envelope.

(b) A hospital, an ambulatory outpatient surgical center, an abortion clinic, or a birthing center shall include the following in any statement related to a claim for a health care service provided to a patient:

- (1) The date the health care service was provided.**
- (2) A written description of the health care service.**
- (3) The amount charged and any amount paid for the health care service.**

SECTION 2. IC 16-25-3-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 11. **(a)** A hospice that provides to a hospice program patient notice concerning a third party billing for a hospice service provided to the hospice program patient shall ensure that the notice:

- (1) conspicuously states that the notice is not a bill;
- (2) does not include a tear-off portion; and
- (3) is not accompanied by a return mailing envelope.

(b) A hospice shall include the following in any statement related to a claim for a health care service provided to a patient:

- (1) The date the health care service was provided.**
- (2) A written description of the health care service.**
- (3) The amount charged and any amount paid for the health care service.**



SECTION 3. IC 16-27-1-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 17. **(a)** A home health agency that provides to a patient notice concerning a third party billing for a home health service provided to the patient shall ensure that the notice:

- (1) conspicuously states that the notice is not a bill;
- (2) does not include a tear-off portion; and
- (3) is not accompanied by a return mailing envelope.

(b) A home health agency shall include the following in any statement related to a claim for a health care service provided to a patient:

- (1) The date the health care service was provided.**
- (2) A written description of the health care service.**
- (3) The amount charged and any amount paid for the health care service.**

SECTION 4. IC 16-28-2-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 10. **(a)** A health facility that provides to a patient notice concerning a third party billing for a service provided to the patient shall ensure that the notice:

- (1) conspicuously states that the notice is not a bill;
- (2) does not include a tear-off portion; and
- (3) is not accompanied by a return mailing envelope.

(b) A health facility shall include the following in any statement related to a claim for a health care service provided to a patient:

- (1) The date the health care service was provided.**
- (2) A written description of the health care service.**
- (3) The amount charged and any amount paid for the health care service.**

SECTION 5. IC 25-1-9-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 19. **(a)** A practitioner that provides to a patient notice concerning a third party billing for a health care service provided to the patient shall ensure that the notice:

- (1) conspicuously states that the notice is not a bill;
- (2) does not include a tear-off portion; and
- (3) is not accompanied by a return mailing envelope.

(b) A practitioner shall include the following in any statement related to a claim for a health care service provided to a patient:

- (1) The date the health care service was provided.**
- (2) A written description of the health care service.**
- (3) The amount charged and any amount paid for the health care service.**

SECTION 6. IC 27-8-22.1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 1. **(a) Except as provided in subsection (b),** as used in this chapter, "accident and sickness insurance policy" means an insurance policy that provides at least one (1) of the types of insurance described in IC 27-1-5-1, Classes



1 1(b), 2(a), 2(b), 2(e), 2(f), and 2(h).

2 **(b) As used in section 6 of this chapter, "accident and sickness**
 3 **insurance policy" means an insurance policy that provides at least**
 4 **one (1) of the types of insurance described in Class 1(b) or Class**
 5 **2(a) of IC 27-1-5-1.**

6 SECTION 7. IC 27-8-22.1-6 IS ADDED TO THE INDIANA CODE
 7 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 8 1, 2008]: **Sec. 6. An insurer that issues an accident and sickness**
 9 **insurance policy shall include the following in any statement**
 10 **related to a claim for a health care service provided to an insured:**

11 **(1) The date the health care service was provided.**

12 **(2) A written description of the health care service.**

13 **(3) The amount charged and any amount paid for the health**
 14 **care service.**

15 SECTION 8. IC 27-13-41-3 IS ADDED TO THE INDIANA CODE
 16 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 17 1, 2008]: **Sec. 3. A health maintenance organization and a limited**
 18 **service health maintenance organization shall include the following**
 19 **in any statement related to a claim for a health care service**
 20 **provided to an enrollee:**

21 **(1) The date the health care service was provided.**

22 **(2) A written description of the health care service.**

23 **(3) The amount charged and any amount paid for the health**
 24 **care service.**

